HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1509 OF 2005.

Prakash S. Jakhete & Anr. ...Applicants.

V/s.

The State of Maharashtra. ...Respondent

Shri Sayaji D. Nangre, for applicants.

Shri A.S.Gadkari, APP for respondent.

CRIMINAL APPLICATION NO. 1418 OF 2005.

Bhavin Mukesh Parekh. ...Applicant.

V/s.

The State of Maharashtra. ...Respondent

Ms.Rajshree Gadhavi i/b Satish L. Maneshinde, for applicant.

Shri A.S.Gadkari, APP for respondent.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 25, 2005

P.C. :-

1. Heard counsel for the parties.

2. The learned APP fairly accepts that the entire amount towards sales tax liability has been deposited by the applicants with the government treasury. That part of the condition has been complied with by the

applicants. He further states that the applicants have so far co-operated for the purpose of investigation and if they continue to do so in future, this application can be disposed of by giving limited protection to the applicants that the Investigating Officer will give 72 hours advance notice to applicants, in the event, the Investigating Officer decides to arrest the applicants after coming across the material to indicate the complicity of the applicants in the commission of the offence during the course of the investigation.

3. Accordingly, these applications are disposed of, with direction to the Investigating Officer to give 72 hours advance notice to the applicants in the event, he decides to arrest the applicants in respect of the alleged offence, after collecting further material during the course of investigation to indicate complicity of the applicants in the commission of the offence.

4. Th applicants shall in the mean time, co-operate for the purpose of the investigation and report to the Investigating Officer, as and when called.

5. Applications are disposed of in the above terms.